

## REMARKS

A final Office Action was mailed on November 18, 2002. Claims 1-- 8 are currently pending in the application. Applicant amends claims 1 and 3 -- 5. No new matter is introduced.

### REJECTION UNDER 35 U.S.C. §§ 102, 103

Claim 4 is rejected under 35 U.S.C. § 102(a) as being anticipated by Japanese Patent Publication JPO 6-303288 to Hisayoshi et al. Claims 1 and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hisayoshi in view of U.S. Patent No. 5,519,867 to Moeller et al., and claims 2, 3, and 5 -- 7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hisayoshi in view of Moeller and commonly-understood prior art. Applicants amend claims 1 and 3 -- 5 to further clarify the nature of their inventions, and respectfully traverse the rejections.

In amended independent claims 1 - 5, Applicants disclose a method and system for racing control in a system supporting Common Management Information Protocol (CMIP) operations. Applicants method includes the steps of a) determining whether or not a currently managed object instance of CMIP operations and a managed object instance for a newly-requested CMIP operation are identical, b) when the instances are different, allowing execution of the newly-requested CMIP operation, and c) when the instances are the same, referring to a racing control table based on a combination of operation classifications to determine whether it is possible to execute the newly-requested CMIP operation.

Hisayoshi discloses an OSI interface apparatus for translating CMIP operations into internal commands and performing racing control while treating the commands as command groups. Unlike Applicants' claimed invention, Hisayoshi fails to disclose or otherwise suggest racing control based on determining whether or not managed object instances of current and newly-requested operations are the same.

In the apparatus disclosed by Hisayoshi, racing control is performed by translating CMIP operations into internal commands including command identification information, such that the racing control is performed between command groups to which the internal commands belong. As a result, increased processing is required for translating operations into internal commands. This approach provides a rather coarse degree of racing control.

In sharp contrast, Applicants' claimed method and system performs racing control in units of smallest instance, thereby providing a much finer degree of racing control.

The Examiner acknowledges that Hisayoshi fails to teach or suggest the use of managed object instances in units of smallest instance, but suggests that Moeller defines objects as an instance of class and discloses subclasses of parent classes, thereby making it obvious to apply objects of smallest instance to the teachings of Hisayoshi. However, even if Moeller discloses that classes may be hierarchically structured to include subclasses. The combination of Hisayoshi and Moeller does not teach or suggest performing race control between CMIP operations in units of instance. In sharp contrast, by performing analysis of command groups, Hisayoshi suggests a non-restriction advantage to processing at the group level rather than at the command level (see, e.g., paragraph 0034 of Hisayoshi).

Accordingly, for the reasons cited above, Applicants respectfully submit that independent claims 1 - 5 are not made obvious by any combination of Hisayoshi, Moeller and the commonly-understood prior art, and are therefore in condition for allowance. As claims 6 - 8 each depend from one of allowable claims 1 - 5, Applicants further submit that claims 6 - 8 are allowable for at least this reason.


## CONCLUSION

An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above amendments and remarks, it is believed that claims 1 - 8, consisting of independent claims 1 - 5, and the claims dependent therefrom, are in condition for allowance.

Passage of this case to allowance is earnestly solicited. However, if for any reason the Examiner should consider this application not to be in condition for allowance, he is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted,



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